

HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PACIFIC SOUND RESOURCES, a
Washington non-profit corporation; and
THE PORT OF SEATTLE, a Washington
municipal corporation,

Plaintiffs,

v.

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY, a
Delaware corporation; J.H. BAXTER &
CO., a California limited partnership; J.H.
BAXTER & CO., a California corporation;
and J.H. BAXTER & CO., INC., a
California corporation,

Defendants.

No. C04-1654L

FRCP 7.1 DISCLOSURE STATEMENT
OF DEFENDANT THE BURLINGTON
NORTHERN AND SANTA FE
RAILWAY COMPANY

Pursuant to Fed. R. Civ. Proc. 7.1(a), Defendant The Burlington Northern and Santa Fe Railway Company ("BNSF") states that it is a nongovernmental corporate party. The corporate parent of BNSF is Burlington Northern Santa Fe Corporation, a publicly held corporation which owns 10% or more of the stock of BNSF.

Equity shares and debt securities of Burlington Northern Santa Fe Corporation are publicly traded. Debt securities issued by BNSF are registered with and trade through the New York stock exchange.

DATED this 28th day of December, 2004.

BULLIVANT HOUSER BAILEY PC

/s/ Thomas D. Adams

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CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, December 28, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the persons listed below:

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